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In re Application of
Joo et al.
Application No. 09/724812
Filing or 371(c) Date: 11/28/2000
Attorney Docket Number:
062891.0606

OFFICE OF PETITIONS

ON PETITION

This decision is in response to the "Petition to Correct Inventor's name Under 37 CF.R. § 1.183," filed July 19, 2007. The petition is properly treated under 37 CFR 1.182. The delay in treating this petition is regretted.

Petitioner files the present petition and states that the fourth inventor, listed on the face of the patent as Choi Young, II; however, the correct name for the inventor should be Young II Choi. Petitioner requests that if the petition is granted, that the file be forwarded to the Certificate of Corrections Branch for issuance of the enclosed Certificate of Correction. Petitioner also files a "Request for Certificate of Correction Under 37 CFR § 1.322."

The petition is **GRANTED TO THE EXTENT INDICATED HEREIN.**

Inventor name change

MPEP 201.03, Correction of Inventorship in an Application, provides

(B) Where a typographical or transliteration error in the spelling of an inventor's name is discovered, the Office should simply be notified of the error. A new oath or declaration is not required. See MPEP § 605.04(g). Reference to the notification will be made on the previously filed oath or declaration.

The petition to correct the fourth inventor's name is granted¹. Office records have been corrected to reflect the name of the fourth inventor as Young II Choi.

¹ The name change is apparently due to a transliteration error, and the petition is granted under that assumption. If this assumption is incorrect, Petitioner must notify this Office immediately.

Changes to the Claims

Petitioner has also filed a Request for Certificate of Correction Under 37 CFR § 1.322. It is noted that the certificate of correction makes changes to the claims apparently inconsistent with the Notice of Allowability mailed September 15, 2005.

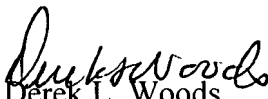
The MPEP provides:

Requests for Certificates of Correction will be forwarded to the Certificate of Correction Branch of the Office of Patent Publication, where they will be listed in a permanent record book.

If the patent is involved in an interference, a Certificate of Correction under 37 CFR 1.324 will not be issued unless a corresponding motion under 37 CFR 41.121(a)(2) or 41.121(a)(3) has been granted by the administrative patent judge. Otherwise, determination as to whether an error has been made, the responsibility for the error, if any, and whether the error is of such a nature as to justify the issuance of a Certificate of Correction will be made by the Certificate of Correction Branch. If a report is necessary in making such determination, the case will be forwarded to the appropriate group with a request that the report be furnished. If no certificate is to issue, the party making the request is so notified and the request, report, if any, and copy of the communication to the person making the request are placed in the file wrapper (for a paper file) or entered into the file history (for an IFW file), and entered into the "Contents" for the file by the Certificate of Correction Branch. The case is then returned to the patented files. If a certificate is to issue, it will be prepared and forwarded to the person making the request by the Office of Patent Publication. (Emphasis supplied).

The application file is being referred to the Certificate of Corrections Branch for a decision on the Request for Certificate of Correction.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3232.


Derek L. Woods

Attorney
Office of Petitions